



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul R. Jarko, et al.

Serial No: 10/062,680

Examiner: Vanaman, F.

Filed: 2/1/2002

Art Unit: 3618

Confirmation No.: 2184

For: LOAD DOLLY

Docket: 1992-A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

I, Paul R. Jarko, declare as follows:

1. I am one of the named inventors of US Patent Application Serial No. 10/062,680 filed February 1, 2002, entitled LOAD DOLLY.

2. I conceived this invention in this country earlier than June 15, 2001, the filing date of U.S. Patent Application Serial No. 09/881,960 (Salmon et al.) which subsequently resulted in issued U.S. Patent 6,550,792, which patent was cited by the Examiner as being a main reference, which when combined with other references, rejected many of the claims presently pending in this application, and in particular, rejected independent claim 22.

3. My conception is demonstrated in part by the attached Exhibit A which is a photocopy of a sales slip from Home Depot for the purchase of two sheets of

plywood that was used for constructing a first prototype recycle cart. The date on the sales slip is April 27, 2000. The left side of Exhibit A is a photocopy of a Polaroid photograph of a preliminary recycle cart that I constructed approximately in May of 2000. Exhibit B is photocopy of a series of follow-up drawings which were made prior to October 11, 2000 of a modified recycle cart. Exhibit C is a photocopy of a page from my notebook showing the developed recycle cart which occurred prior to June 15, 2001, which clearly shows the positioning of the uppermost container box and its alignment with and engagement by the lid with a latch on the dolly. All of these drawings and associated work occurred prior to June 15, 2001.

4. After conception, I acted diligently to reduce the invention to practice from a time earlier than June 15, 2001 to the filing of this application on February 1, 2002. I met with Scott W. A. Dunsmoor, one of the other co-inventors, in the summer of 2001 who assisted me in building a metal prototype from my sketch of the dolly and who assisted me in further refining and finalizing the dolly construction of the present application.

5. I furthermore declare that the other co-inventor, David B. Snaith, became involved with myself and Scott W. A. Dunsmoor in the fall of 2001 and assisted in developing other features of the invention.

6. I declare that the basic concept set forth in claim 22, that is, a dolly having a plurality of rigid containers having top openings and mounted on an upright frame in a stacked vertical relationship, wherein the shelves have open fronts for horizontally removing and placing the containers thereon, wherein the lid is mounted on the frame and movable between open and closed positions and is complementary in shape and size so that the top opening of the container supported on the upper support shelf which is positioned by side walls, back walls and a front rim of the base enables the lid to matingly engage and close the top opening of the container when mounted on the upper shelf, was my conception as shown by Exhibit C.

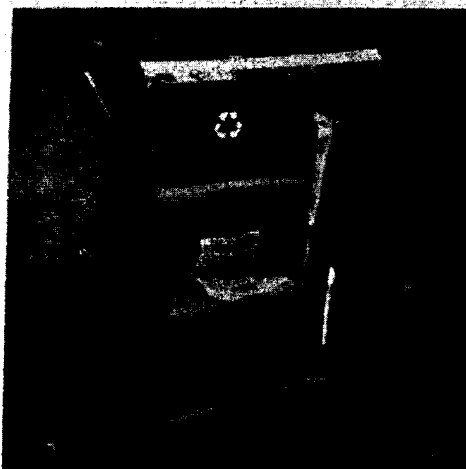
7. I declare that other features of the subject load dolly were further developed and refined by ideas submitted and assistance provided by the other two co-inventors, Scott W. A. Dunsmoor and David B. Snaith, whose ideas to the load dolly are covered by other claims in the subject application, occurred after June 15, 2001.

8. I furthermore declare that I diligently reduced the invention of claim 22 to practice by the subsequent filing of the present patent application on February 1, 2002, by subsequently contacting Robert Dickie of Spark Innovations, Inc. in the fall of 2001, for his assistance in the commercial development of the load dolly and the filing of the present patent application thereon. Mr. Dickie contacted Joseph Sebolt, attorney of record of the present application, by letter of December 1, 2001, instructing him to file a patent application which was subsequently filed February 1, 2002.

9. I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code. I understand that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Nov. 15/05
Date

Paul R. Janko
Paul R. Janko



Year	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

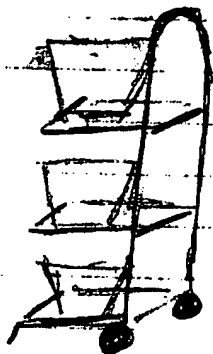
the 1990s, the number of people in the United States who are 65 years of age or older has increased by 50 percent, and the number of people 75 years of age or older has increased by 100 percent. The number of people 85 years of age or older has increased by 200 percent. The number of people 95 years of age or older has increased by 400 percent. The number of people 100 years of age or older has increased by 1,000 percent. The number of people 105 years of age or older has increased by 2,000 percent. The number of people 110 years of age or older has increased by 4,000 percent. The number of people 115 years of age or older has increased by 8,000 percent. The number of people 120 years of age or older has increased by 16,000 percent. The number of people 125 years of age or older has increased by 32,000 percent. The number of people 130 years of age or older has increased by 64,000 percent. The number of people 135 years of age or older has increased by 128,000 percent. The number of people 140 years of age or older has increased by 256,000 percent. The number of people 145 years of age or older has increased by 512,000 percent. The number of people 150 years of age or older has increased by 1,024,000 percent. The number of people 155 years of age or older has increased by 2,048,000 percent. The number of people 160 years of age or older has increased by 4,096,000 percent. The number of people 165 years of age or older has increased by 8,192,000 percent. The number of people 170 years of age or older has increased by 16,384,000 percent. The number of people 175 years of age or older has increased by 32,768,000 percent. The number of people 180 years of age or older has increased by 65,536,000 percent. The number of people 185 years of age or older has increased by 131,072,000 percent. The number of people 190 years of age or older has increased by 262,144,000 percent. The number of people 195 years of age or older has increased by 524,288,000 percent. The number of people 200 years of age or older has increased by 1,048,576,000 percent. The number of people 205 years of age or older has increased by 2,097,152,000 percent. The number of people 210 years of age or older has increased by 4,194,304,000 percent. The number of people 215 years of age or older has increased by 8,388,608,000 percent. The number of people 220 years of age or older has increased by 16,777,216,000 percent. The number of people 225 years of age or older has increased by 33,554,432,000 percent. The number of people 230 years of age or older has increased by 67,108,864,000 percent. The number of people 235 years of age or older has increased by 134,217,728,000 percent. The number of people 240 years of age or older has increased by 268,435,456,000 percent. The number of people 245 years of age or older has increased by 536,870,912,000 percent. The number of people 250 years of age or older has increased by 1,073,741,824,000 percent. The number of people 255 years of age or older has increased by 2,147,483,648,000 percent. The number of people 260 years of age or older has increased by 4,294,967,296,000 percent. The number of people 265 years of age or older has increased by 8,589,934,592,000 percent. The number of people 270 years of age or older has increased by 17,179,869,184,000 percent. The number of people 275 years of age or older has increased by 34,359,738,368,000 percent. The number of people 280 years of age or older has increased by 68,719,476,736,000 percent. The number of people 285 years of age or older has increased by 137,438,953,472,000 percent. The number of people 290 years of age or older has increased by 274,877,906,944,000 percent. The number of people 295 years of age or older has increased by 549,755,813,888,000 percent. The number of people 300 years of age or older has increased by 1,099,511,627,776,000 percent. The number of people 305 years of age or older has increased by 2,199,023,255,552,000 percent. The number of people 310 years of age or older has increased by 4,398,046,511,104,000 percent. The number of people 315 years of age or older has increased by 8,796,093,022,208,000 percent. The number of people 320 years of age or older has increased by 17,592,186,044,416,000 percent. The number of people 325 years of age or older has increased by 35,184,372,088,832,000 percent. The number of people 330 years of age or older has increased by 70,368,744,177,664,000 percent. The number of people 335 years of age or older has increased by 140,737,488,355,328,000 percent. The number of people 340 years of age or older has increased by 281,474,976,710,656,000 percent. The number of people 345 years of age or older has increased by 562,949,953,421,312,000 percent. The number of people 350 years of age or older has increased by 1,125,899,906,842,624,000 percent. The number of people 355 years of age or older has increased by 2,251,799,813,685,248,000 percent. The number of people 360 years of age or older has increased by 4,503,599,627,370,496,000 percent. The number of people 365 years of age or older has increased by 9,007,199,254,740,992,000 percent. The number of people 370 years of age or older has increased by 18,014,398,509,481,984,000 percent. The number of people 375 years of age or older has increased by 36,028,797,018,963,968,000 percent. The number of people 380 years of age or older has increased by 72,057,594,037,927,936,000 percent. The number of people 385 years of age or older has increased by 144,115,188,075,855,872,000 percent. The number of people 390 years of age or older has increased by 288,230,376,151,711,744,000 percent. The number of people 395 years of age or older has increased by 576,460,752,303,423,488,000 percent. The number of people 400 years of age or older has increased by 1,152,921,504,606,846,976,000 percent. The number of people 405 years of age or older has increased by 2,305,843,009,213,693,952,000 percent. The number of people 410 years of age or older has increased by 4,611,686,018,427,387,904,000 percent. The number of people 415 years of age or older has increased by 9,223,372,036,854,775,808,000 percent. The number of people 420 years of age or older has increased by 18,446,744,073,709,551,616,000 percent. The number of people 425 years of age or older has increased by 36,893,488,147,419,103,232,000 percent. The number of people 430 years of age or older has increased by 73,786,976,294,838,206,464,000 percent. The number of people 435 years of age or older has increased by 147,573,952,589,676,412,928,000 percent. The number of people 440 years of age or older has increased by 295,147,905,179,352,825,856,000 percent. The number of people 445 years of age or older has increased by 590,295,810,358,705,651,712,000 percent. The number of people 450 years of age or older has increased by 1,180,591,620,717,411,303,424,000 percent. The number of people 455 years of age or older has increased by 2,361,183,241,434,822,606,848,000 percent. The number of people 460 years of age or older has increased by 4,722,366,482,869,645,213,696,000 percent. The number of people 465 years of age or older has increased by 9,444,732,965,739,290,427,392,000 percent. The number of people 470 years of age or older has increased by 18,889,465,931,478,580,854,784,000 percent. The number of people 475 years of age or older has increased by 37,778,931,862,957,161,709,568,000 percent. The number of people 480 years of age or older has increased by 75,557,863,725,914,323,419,136,000 percent. The number of people 485 years of age or older has increased by 151,115,727,451,828,646,838,272,000 percent. The number of people 490 years of age or older has increased by 302,231,454,903,657,293,676,544,000 percent. The number of people 495 years of age or older has increased by 604,462,909,807,314,587,353,088,000 percent. The number of people 500 years of age or older has increased by 1,208,925,819,614,629,174,706,176,000 percent. The number of people 505 years of age or older has increased by 2,417,851,639,229,258,349,412,352,000 percent. The number of people 510 years of age or older has increased by 4,835,703,278,458,516,698,824,704,000 percent. The number of people 515 years of age or older has increased by 9,671,406,556,917,033,397,649,408,000 percent. The number of people 520 years of age or older has increased by 19,342,813,113,834,066,795,298,816,000 percent. The number of people 525 years of age or older has increased by 38,685,626,227,668,133,590,597,632,000 percent. The number of people 530 years of age or older has increased by 77,371,252,455,336,267,181,195,264,000 percent. The number of people 535 years of age or older has increased by 154,742,504,910,672,534,362,390,528,000 percent. The number of people 540 years of age or older has increased by 309,485,009,821,345,068,724,781,056,000 percent. The number of people 545 years of age or older has increased by 618,970,019,642,690,137,449,562,112,000 percent. The number of people 550 years of age or older has increased by 1,237,940,039,285,380,274,899,124,224,000 percent. The number of people 555 years of age or older has increased by 2,475,880,078,570,760,549,798,248,448,000 percent. The number of people 560 years of age or older has increased by 4,951,760,157,141,521,099,596,496,896,000 percent. The number of people 565 years of age or older has increased by 9,903,520,314,283,042,199,193,993,792,000 percent. The number of people 570 years of age or older has increased by 19,807,040,628,566,084,398,387,987,584,000 percent. The number of people 575 years of age or older has

May 12/60



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Recycle Cart



1. Use 1/2
Aluminum
Pipe



Use 1/2
Aluminum
Pipe

Build 2 in. Around
Tugaway from
Facing off



2-3
Bin
1.66

Needs to Have

- Plastic
- Paper
- Glass
- C. 2. 2. 2. 2. 2.
- Metal

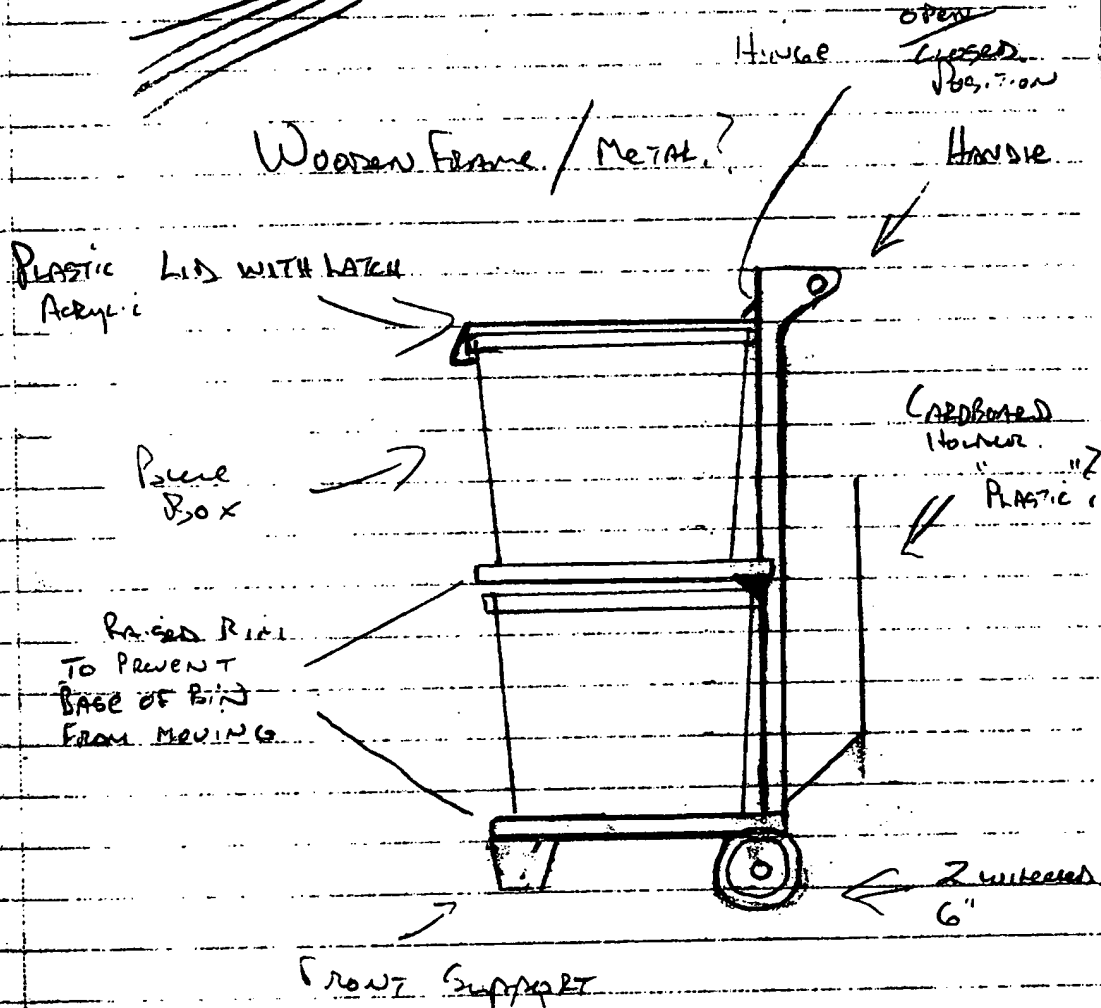
* Light weight

EXHIBIT

B

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Recycle Cart



- Better Height
- Lighter weight
- 1 sheet of Plywood
- 1 - 1x2 strapping
- 2 wheels 6"
- 1/2 sheet of Poly C.
- 3' of 1" Dowel

EXHIBIT

C

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No.
Applicant(s): Paul R. Jarko, et al.			1992-A
Serial No.	Filing Date	Examiner	Group Art Unit
10/062,680	2/1/2002	Vanaman, Frank	3618
Invention:			
LOAD DOLLY			

I hereby certify that the following correspondence:

Declaration Under 37 C.F.R. § 1.131 w/Exhibits A-C

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 16, 2005
(Date)

Karina A. Butler
(Typed or Printed Name of Person Mailing Correspondence)

Karina A. Butler
(Signature of Person Mailing Correspondence)